

Attorney Docket No. LeA 36 792

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PATENT

AUG 17 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

National Stage in the U.S. of

International Application No.: PCT/EP04/06608

International Filing Date: 06/18/2004

U.S. Application No.: 10/562,241

First Named Inventor: Golz, et al.

Title: Isolated Photoprotein Bolinopsin, and the Use Thereof.

CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any papers referred to in this certificate as being attached, are being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Date:

8/17/06


William F. Gray

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

This replies to the Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed to applicants on 07/10/2006. A copy of Form PCT/DO/EO/905 is enclosed.

DECLARATION OR OATH

No declaration or oath was filed. Enclosed is the original declaration or oath for this application (35 U.S.C. 371 (c)(4)).

COMPLETION FEES

Surcharge fee for late filing of original declaration or oath (37 C.F.R. 1.492(e))
\$130.00.

METHOD OF PAYMENT

The Commissioner is hereby authorized to charge Deposit Account No. 13-3372 in


the amount of **\$130.00** for the matters indicated above. The Commissioner is also authorized to charge any additional fees, any underpayment of fees, and credit any overpayment to the above deposit account. A duplicate of this request is attached.

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Respectfully submitted,

AUG 17 2006

Date: 8/17/06
Registration No.: 31018
Phone: (203) 812-2712



William F. Gray
Attorney for Applicant(s)
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01 FC:1617 130.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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JUL 27 2006

U.S. APPLICATION NUMBER NO. 10/562,241	FIRST NAMED APPLICANT Stefan Golz	FILED DOCKET NO. LeA 36 792
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INTERNATIONAL APPLICATION NO.

PCT/EP04/06608

I.A. FILING DATE 06/18/2004	PRIORITY DATE 06/23/2003
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35969

JEFFREY M. GREENMAN
BAYER PHARMACEUTICALS CORPORATION
400 MORGAN LANE
WEST HAVEN, CT 06516

CONFIRMATION NO. 6078

371 FORMALITIES LETTER

OC000000019535252

Date Mailed: 07/10/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Request for Immediate Examination filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005
- Specification filed on 12/22/2005
- Claims filed on 12/22/2005
- Abstracts filed on 12/22/2005
- Drawings filed on 12/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,241	PCT/EP04/06608	LeA 36 792

FORM PCT/DO/EQ/905 (371 Formalities Notice)

Bayer HealthCare
Pharmaceuticals

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FAX

To: **MAIL STOP AMENDMENT - US PATENT AND TRADEMARK OFFICE**

Fax: **(571) 273-8300**

Number of Pages: 7 (including this cover)

Date: **17 August 2006**

From: **William F. Gray**

Fax: **(203) 812-6459**

Phone: (203) 812-2712

E-mail: **william.gray.b@bayer.com**

Re: **US Application Serial No.: 10/562,241**

Filing Date: 12/23/2005

Title: Isolated Photoprotein Bolinopsin, and the Use Thereof.

Attorney Docket No.: LeA 36 792

Art Unit:

Examiner:

Message:

Attached are the following documents in connection with prosecution of this application:

- ☒ Response to Notification of Missing Requirements Under 35 U.S.C. 371
- ☒ Declaration of the inventors
- ☒ Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT YOU ARE HEREBY NOTIFIED THAT THE PRIVILEGED OR CONFIDENTIAL NATURE OF THIS MESSAGE IS NOT WAIVED BY INADVERTENT DISCLOSURE. ANY DISSEMINATION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL TO 400 MORGAN LANE, WEST HAVEN CONNECTICUT 06516. THANK YOU.